

## **REMARKS**

Reconsideration and allowance of the subject application are respectfully requested. Claims 1-15 are pending.

Claims 1-15 stand rejected under 35 U.S.C. §103 as being unpatentable over Kato (U.S. Patent Publication No. 2005/0019007) in view Ho Yuen (U.S. Patent Publication No. 2002/0129036). Applicants respectfully traverse this art grounds of rejection.

With respect to the recitation of "a navigation area storing an information file including a first playback indicator, the first playback indicator identifying a navigation command field for execution at first playback of the recording medium," the Examiner refers Applicants to paragraphs 10-19, 31, 186-188, 193-197 and 222-223 of Kato. These passages of Kato are directed toward the formation of a ClipMark and a PlayListMark. As stated in paragraph 8 of Kato, the ClipMark is a mark specifying a characteristic picture extracted from an input A/V stream, and the PlayListMark points to a picture optionally specified by a user. Accordingly, the ClipMarks and PlayListMarks are indexing points in the audio video stream. However, Kato does not disclose or suggest that any of these marks constitutes a first playback indicator identifying a navigation command field for execution when the recording medium is first played back as recited in claim 1. By contrast, Kato does not utilize a first playback indicator. Instead, first playback is standardized in the playback unit, and chosen by the user.

As taught in paragraphs 190-191 of Kato, when the A/V stream file and the application database information are first reproduced by the reproducing unit 3, the controller 23 first commands a readout unit 28 to read out the application database information from the recording medium. (See Fig. 1.) Based on the application database information, the controller 23 outputs a list of PlayLists recorded on the recording medium 100 to a user interface terminal 24. The user selects the PlayList, desired to be reproduced, from the list,

Also, with respect to Kato, the Examiner does cite paragraphs 206, 409-410 and 537-538 as pertaining to a navigation command field including at least one navigation command. These passages mention PlayLists and that ClipMarks point to entry points in the PlayLists, but fail to mention navigation commands instructing the reproduction of a PlayList.

The Examiner further appears to recognize that Kato fails to disclose or suggest a navigation command field including at least one navigation command, and contends that Ho Yuen teaches such a feature and that this feature would be combinable with the teachings of Kato. Applicants first note, that Ho Yuen fails to disclose or suggest a first playback indicator identifying a navigation command field for execution at first playback of the recording medium as recited in claim 1. Therefore, even if Kato and Ho Yuen were combined as suggested by the Examiner, the resulting combination would fail to disclose or suggest the claimed first playback indicator.

Furthermore, the passage of Ho Yuen cited by the Examiner pertains to the creation and editing of playlists. However, a navigation command is, for

example, a command to play back a playlist and not the playlist itself. In Ho Yuen, no such navigation commands exist.

Therefore, for the reasons set forth above, Kato in view of Ho Yuen fail to disclose both "the first playback indicator" as recited in claim 1 and "the identified navigation command field" as recited in claim 1.

Claims 2-11, dependent upon claim 1, are dependent at least for the reasons stated above with respect to claim 1.

Claims 12-15 include similar limitations to those discussed above with respect to claim 1, and are patentable at least for the reasons discussed above with respect to claim 1.

Applicants respectfully request that the Examiner withdraw this art grounds of rejection.

### **CONCLUSION**

In view of above remarks, reconsideration of the outstanding rejection and allowance of the pending claims is respectfully requested.

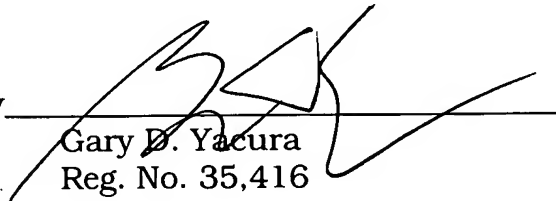
If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at number listed below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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